

MINUTES OF
EUREKA CITY COUNCIL
EUREKA REDEVELOPMENT AGENCY

MAY 2, 2006

The City Council/Redevelopment Agency of the City of Eureka met in REGULAR Session on the above date, 5:30 p.m. Closed Session, 6:30 p.m. Open Session, at the Eureka City Hall, Council Chambers, 531 "K" Street, Eureka.

PRESIDING: MAYOR LA VALLEE

PRESENT: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES

ABSENT: NONE

MINUTES PREPARED BY:

COUNCIL APPROVAL ACKNOWLEDGED:

Kathleen L. Franco Simmons
City Clerk

Peter La Vallee
Mayor

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 2, 2006.

SUBJECT: Public comment prior to closed session

ACTION:

No one expressed an interest in addressing the Council at this time.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 3, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 2, 2006.

SUBJECT: Closed session

ACTION:

Council met in closed session to discuss the following matters:

B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation: one case.

Pursuant to California Government Code Section 54956.9(b)

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Fisherman's Terminal property, APN 001-011-014

Agency negotiator: David Tyson for the City of Eureka

Negotiating parties: J.P. & Associates, Inc.

Under negotiation: price, terms, and conditions.

Pursuant to California Government Code Section 54956.8

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Fisherman's Building property, APN's 001-054-024, -028, -029, and -030

Agency negotiator: David Tyson for the City of Eureka

Negotiating parties: Eureka Waterfront Partners

Upon reconvening to Open Session, it was announced that there was no action to be reported.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Agenda Item B, C & D

MINUTE ORDER, MAY 2, 2006
ITEM: Closed Session
PAGE: 2

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on May 3, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item B, C & D

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 2, 2006.

SUBJECT: Invocation

ACTION:

The invocation was given by Andy Broese Van Groenou, Pastor-Harvest Church and Senior Chaplain Humboldt County Sheriff's Office.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 3, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 2, 2006.

SUBJECT: Mayor's announcements

ACTION:

Mayor La Vallee presented the following proclamations:

"National Day of Prayer" May 4, 2006, received by Pastors Tom Galovich and John Gordon.

"Veterans Appreciation Month" May 2006, received by Jim Lindsey.

Mayor La Vallee offered words of appreciation to the business community for their support for Eureka's 150th Birthday celebration.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 3, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item M/A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 2, 2006.

SUBJECT: Council reports

ACTION:

Councilmember Leonard requested support for directing staff to agendize several subjects:

- A townhall meeting in cooperation with the District Attorney and Attorney General's office in relation to the recent shooting death.
- Formation of a public safety commission.

Without objection, Council consented to providing direction to staff to agendize these subject matters.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on May 3, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item C/R

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 2, 2006.

SUBJECT: Order of Agenda

ACTION:

Mayor La Vallee announced that, without objection, Item 1 is pulled from the agenda with the consent of the appellant and referred to a future agenda. Mayor La Vallee announced that pursuant to Council direction from the previous meeting, Items 14, 15, and 16 would be heard first.

Adopted on motion by Councilmember , seconded by Councilmember , and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on May 3, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 2, 2006.

SUBJECT: Discussion regarding St. Joseph's Hospital restructuring and potential layoffs.
City Council

ACTION:

Mr. Joe Marks, CEO-St. Joseph's provided information with regard to near and long-term assessments developed by the board and physicians of St. Joseph's, formation of a physician vision and advisory group, formation of a business advisory group, future options, task force, and recommendations for formation of additional advisory groups. Dr. Thomas Loncar reported on behalf of physicians with St. Joseph's. Bill Urman, Labor Representative for the California Nurses Association provided information regarding to the position of registered nurses with respect to the elimination of jobs and the impact to the community resulting from service cuts.

The following individuals addressed the council regarding this subject matter:

Kathryn Donahue, registered nurse-St. Joseph's
Richard Tollison
Sue Brandenburg

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the City of Eureka on May 3, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept.

Agenda Item 14

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 2, 2006.

SUBJECT: Resolution of the City Council of the City of Eureka encouraging reducing costs of transportation service for students of College of the Redwoods.

ACTION:

Councilmember Kerrigan introduced Moss Bittner, who provided a report regarding a student project to introduce a bus subsidy for CR students. The following individuals addressed the council regarding this subject matter:

Kaye Strickland, Eureka

Lawrence Labanche, Eureka

Mark Konkler, Eureka

Michael Smith, Fortuna

Richard Tollison

Will Butler

Don Davenport

Daniel Pierce, Eureka

On motion by Councilmember KERRIGAN, seconded by Councilmember LEONARD, and the following vote, Council adopted the resolution encouraging reducing costs of transportation service for students of College of the Redwoods.

AYES: WOLFORD, BASS-JACKSON, LEONARD, KERRIGAN, JONES

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 3, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Councilmember Kerrigan

Agenda Item 15

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 2, 2006.

SUBJECT: Resolution of the City Council of the City of Eureka in support of same-sex civil marriages with full equality of rights and privileges as any heterosexual civil marriage.

ACTION:

Councilmember Kerrigan provided a report and read the resolution. The following individuals addressed the council regarding this subject matter:

Yvette Fletcher, Eureka
Rick McGinty, Eureka, Senior Pastor-Grace Baptist
Terry Boortz, Eureka
Will Butler, Loleta
Stan Smith-Haynes, Eureka
Sally Ashbach, Fortuna
Jason Adams, Eureka
Shane Mizner, Eureka
Mark Konkler, Eureka
Havilah Willis, Eureka
Bruce Campbell, Eureka
Molly Adams, Eureka
Patricia, Humboldt County
Edward Wisan, Freshwater
Sarah Filteau, Eureka
John Gordon, Eureka
Reverend Carlotta Vallergera, First Congregational Church
Sonja Hauxwell, Humboldt County
Aldo Bongio
Patricia Daly, Eureka
Mary Stanley, Eureka
Scott Camilli, Arcata
Rob Myer, Eureka
Alisa Jones, Eureka
Denness, Eureka
Barbara Maderas
Judy Harvey, Field's Landing
Lisa Roberts, McKinleyville
Teresa Coleman

MINUTE ORDER, MAY 2, 2006

ITEM: 16

PAGE: 2

Public Comment (continued):

Debbie Siemer, McKinleyville

Sarah Bouglary, Eureka

Daniel Pierce

Steven Lloyd, Eureka

Benjamin Wisan, Eureka

Heather Beam, Eureka

Margaret Hill, Eureka

Phil Adams, Eureka

unidentified woman, HSU teacher

Jennifer Harvey, Eureka

Jenn Gross

Jack Mutsey, Humboldt County

Jessie Beverley, Eureka

Lawrence LaBranche, Eureka

unidentified man

Bethany Willis, Eureka

Richard Tollison, Eureka

Suzanne Moore

Jamilla Clarke, Eureka

Ed Davenport, Eureka

Steve Schlerf, Hydesville

Tom Trepia

Amanda Devons, Eureka

Don Filteau, Eureka

Father Lewis Cordera, Chaplain- HSU

At 10:01 p.m., a motion by Councilmember BASS-JACKSON, seconded by Councilmember KERRIGAN to finish this issue and continue the remainder of the meeting Thursday carried by unanimous vote.

Public Comment (continued):

Christina Frankel

Caitlin Gross

Keith Hodge

Karen Brooks, Humboldt County

William Bertain, Eureka

MINUTE ORDER, MAY 2, 2006
ITEM: 16
PAGE: 3

A motion by Councilmember KERRIGAN, seconded by Councilmember BASS-JACKSON, to adopt the resolution failed by the following vote:

AYES: KERRIGAN
NOES: WOLFORD, BASS-JACKSON, LEONARD, JONES
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 3, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK

Originating Dept. Councilmember Kerrigan

Agenda Item 16

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of May 2, 2006.

SUBJECT: Adjournment

ACTION:

On motion by Councilmember JONES, seconded by Councilmember BASS-JACKSON, and without objection, the meeting was adjourned at 10:33 p.m.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, KATHLEEN L. FRANCO SIMMONS, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on May 3, 2006.

KATHLEEN L. FRANCO SIMMONS
CITY CLERK